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| APPLICATION NO.   | FILING DATE | FIRST NAMED INVENTOR | ATTORNEY DOCKET NO.             | CONFIRMATION NO.            |
|---|-------------|----------------------|---------------------------------|-----------------------------|
| 10/536,647  | 05/27/2005  | Murali Mani          | US020483US                      | 2455                        |
| 65913   | 7550        | 02/06/2009           |                                 |                             |
| NXP, B.V.<br>NXP INTELLECTUAL PROPERTY DEPARTMENT<br>M/S41-SJ<br>1109 MCKAY DRIVE<br>SAN JOSE, CA 95131 |             |                      | EXAMINER<br>BROWN, MICHAEL J    |                             |
|   |             |                      | ART UNIT<br>2116                | PAPER NUMBER                |
|   |             |                      | NOTIFICATION DATE<br>02/06/2009 | DELIVERY MODE<br>ELECTRONIC |

**Please find below and/or attached an Office communication concerning this application or proceeding.**

The time period for reply, if any, is set in the attached communication.

Notice of the Office communication was sent electronically on above-indicated "Notification Date" to the following e-mail address(es):

ip.department.us@nxp.com

### Office Action Summary

**Application No.**

10/536,647

**Applicant(s)**

MANI ET AL.

**Examiner**

Michael J. Brown

**Art Unit**

2116

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address --  
**Period for Reply**

A SHORTENED STATUTORY PERIOD FOR REPLY IS SET TO EXPIRE 3 MONTH(S) OR THIRTY (30) DAYS, WHICHEVER IS LONGER, FROM THE MAILING DATE OF THIS COMMUNICATION.

- Extensions of time may be available under the provisions of 37 CFR 1.136(a). In no event, however, may a reply be timely filed after SIX (6) MONTHS from the mailing date of this communication.
- If NO period for reply is specified above, the maximum statutory period will apply and will expire SIX (6) MONTHS from the mailing date of this communication.
- Failure to reply within the set or extended period for reply will, by statute, cause the application to become ABANDONED (35 U.S.C. § 133). Any reply received by the Office later than three months after the mailing date of this communication, even if timely filed, may reduce any earned patent term adjustment. See 37 CFR 1.704(b).

**Status**

- 1) ☒ Responsive to communication(s) filed on 21 November 2008.
- 2a) ☐ This action is **FINAL**. 2b) ☒ This action is non-final.
- 3) ☐ Since this application is in condition for allowance except for formal matters, prosecution as to the merits is closed in accordance with the practice under *Ex parte Quayle*, 1935 C.D. 11, 453 O.G. 213.

**Disposition of Claims**

- 4) ☒ Claim(s) 1-56 is/are pending in the application.
- 4a) Of the above claim(s) \_\_\_\_\_ is/are withdrawn from consideration.
- 5) ☒ Claim(s) 29-56 is/are allowed.
- 6) ☒ Claim(s) 1-28 is/are rejected.
- 7) ☐ Claim(s) \_\_\_\_\_ is/are objected to.
- 8) ☐ Claim(s) \_\_\_\_\_ are subject to restriction and/or election requirement.

**Application Papers**

- 9) ☐ The specification is objected to by the Examiner.
- 10) ☒ The drawing(s) filed on 27 May 2005 is/are: a) ☒ accepted or b) ☐ objected to by the Examiner.
- Applicant may not request that any objection to the drawing(s) be held in abeyance. See 37 CFR 1.85(a).
- Replacement drawing sheet(s) including the correction is required if the drawing(s) is objected to. See 37 CFR 1.121(d).
- 11) ☐ The oath or declaration is objected to by the Examiner. Note the attached Office Action or form PTO-152.

**Priority under 35 U.S.C. § 119**

- 12) ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
- a) ☐ All b) ☐ Some \* c) ☐ None of:
1. ☐ Certified copies of the priority documents have been received.
  2. ☐ Certified copies of the priority documents have been received in Application No. \_\_\_\_\_.
  3. ☐ Copies of the certified copies of the priority documents have been received in this National Stage application from the International Bureau (PCT Rule 17.2(a)).

\* See the attached detailed Office action for a list of the certified copies not received.

**Attachment(s)**

- 1) ☒ Notice of References Cited (PTO-892)
- 2) ☐ Notice of Draftsperson's Patent Drawing Review (PTO-948)
- 3) ☐ Information Disclosure Statement(s) (PTO/S5108)
- 4) ☐ Interview Summary (PTO-413)
- 5) ☐ Notice of Informal Patent Application
- 6) ☐ Other: \_\_\_\_\_
- Paper No(s)/Mail Date \_\_\_\_\_

## DETAILED ACTION

### *Allowable Subject Matter*

1. Claims 29-56 are allowed.

### *Claim Rejections - 35 USC § 103*

The following is a quotation of 35 U.S.C. 103(a) which forms the basis for all obviousness rejections set forth in this Office action:

(a) A patent may not be obtained though the invention is not identically disclosed or described as set forth in section 102 of this title, if the differences between the subject matter sought to be patented and the prior art are such that the subject matter as a whole would have been obvious at the time the invention was made to a person having ordinary skill in the art to which said subject matter pertains. Patentability shall not be negated by the manner in which the invention was made.

The factual inquiries set forth in *Graham v. John Deere Co.*, 383 U.S. 1, 148 USPQ 459 (1966), that are applied for establishing a background for determining obviousness under 35 U.S.C. 103(a) are summarized as follows:

1. Determining the scope and contents of the prior art.
  2. Ascertaining the differences between the prior art and the claims at issue.
  3. Resolving the level of ordinary skill in the pertinent art.
  4. Considering objective evidence present in the application indicating obviousness or nonobviousness.
2. Claims 1-28 are rejected under 35 U.S.C. 103(a) as being unpatentable over Menon et al.[Menon](US Patent 6,452,974) in view of Holmes et al.[Holmes](US Patent 5,506,932).

### As to claims 1 and 15

Menon discloses a method and system for synchronizing signals comprising receiving means (communication device 19, see Fig. 2) for receiving, from a

source(computer system 1-1, see Fig. 1), a first signal(audio stream 48, see Fig. 5) and a second signal(video stream 41, see Fig. 5) by a receiving apparatus of a receiving system(computer system 1-2, see Fig. 1), the first and second signals to be displayed on a display apparatus(display 18, see Fig. 2) of the receiving system, the first and second signals having been time-synchronized at the source(see column 1, lines 43-57; *streams do not become unsynchronized until they are transmitted/processed independently, thus at the source they were synchronized*), the first signal having content of a first modality(audio), the second signal having content of a second modality(video); display means for displaying on the display apparatus the first and second signals, said displayed first and second signals being accessible to a user(see column 5, lines 38-41); and reducing while the first and second signals are displayed on the display, the time rate(tempo) of displaying one of the first and the second signal, the reducing being directed to time-synchronizing said displaying of the first and second signals on the display apparatus(see column 7, lines 14-21). However, Menon fails to specifically disclose manual reducing means for manually reducing by the user while the first and second signals are displayed on the display, the time rate of displaying one of the first signal and second signal, said manually reducing being directed to time-synchronizing said displaying of the first and second signals on the display apparatus.

Holmes teaches manual reducing means(video editing software 26, see Fig. 1) for manually reducing(rearrange; see column 3, line 47) by a user(user; see column 3, line 44) while a first and second signals(video and audio; see column 3, line 45) are displayed on a display(display 18, see Fig. 1)(see column 3, lines 44-48). It would have

been obvious to one of ordinary skill in the art at the time the invention was made to combine Holmes' video editing software 26 with Menon's video conference system in order to allow a user to adjust the tempo of the audio or video streams 41,48. The motivation to do so would have been to maintain synchronization of the audio and independently recorded video during playback(see Holmes column 8, lines 66-67).

As to claims 2 and 16

Menon discloses the method and system wherein said manually reducing comprises directing means for manually directing a delay compensation circuit of the receiving apparatus to electronically reduce said time rate of displaying, and electronic reducing means for electronically reducing, by the delay compensation circuit, said time rate(see column 7, lines 19-21).

As to claims 3 and 17

Menon discloses the method and system wherein said manually reducing comprises introducing a time delay gap(gaps; see column 6, line 18) in the displaying of said one of the first signal and the second signal(see column 6, lines 17-20).

As to claims 4 and 18

Menon discloses the method and system wherein said manually reducing does not comprise introducing a time delay gap in the displaying of said one of the first signal and the second signal(see column 7, lines 13-21).

As to claims 5 and 19

Holmes teaches the method and system wherein said manually reducing comprises manually manipulating a control(keyboard 20 and/or mouse 22, see Fig. 1; also see column 3, lines 46-48).

As to claims 6 and 20

Holmes teaches the method and system wherein said control(user interface; see column 3, line 33) is on the display apparatus.

As to claims 7 and 21

Holmes teaches the method and system wherein said control is on a wireless device(mouse 22, see Fig. 1).

As to claims 8 and 22

Menon discloses the method and system wherein the first modality differs from the second modality(audio and video; see Fig. 5).

As to claims 9 and 23

Menon discloses the method and system wherein the first modality is a video modality, and wherein the second modality is an audio modality(see Fig. 5).

As to claims 10 and 24

Holmes teaches the method and system wherein the first modality is a video modality, and wherein the second modality is a text modality(two or more streams of data; see column 1, lines 35-36).

As to claims 11 and 25

Holmes teaches the method and system wherein the first modality is an audio modality, and wherein the second modality is a text modality(two or more streams of data; see column 1, lines 35-36).

As to claims 12 and 26

Holmes teaches the method and system wherein said receiving the first signal and the second signal comprises receiving the first signal and the second signal on separate channels(see column 1, lines 14-17).

As to claims 13 and 27

Holmes teaches the method and system wherein said receiving the first signal and the second signal comprises receiving the first signal and the second signal as not multiplexed with each other(see column 1, lines 14-17).

As to claims 14 and 28

Menon discloses the method and system wherein said receiving the first signal and the second signal comprises receiving the first signal and the second signal as multiplexed but not time-synchronized with each other(see column 1, lines 43-57).

### ***Response to Arguments***

3. Applicant's arguments, see Remarks, filed 11/21/2008, with respect to the rejection(s) of claim(s) 1-28 under 35 U.S.C. 103(a) as being unpatentable over Cote et al.(US PGPub 2004/0234250) in view of Binford, Jr. et al.(US Patent 6,285,405), and further in view of Pires(US Patent 4,180,829) have been fully considered and are persuasive. Therefore, the rejection has been withdrawn. However, upon further consideration, a new ground(s) of rejection is made in view of claims 1-28 which are now rejected under 35 U.S.C. 103(a) as being unpatentable over Menon et al.[Menon](US Patent 6,452,974) in view of Holmes et al.[Holmes](US Patent 5,506,932).

### ***Conclusion***

Any inquiry concerning this communication or earlier communications from the examiner should be directed to Michael J. Brown whose telephone number is (571)272-5932. The examiner can normally be reached Monday-Thursday from 7:00am-5:30pm.

If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Thomas Lee can be reached at (571)272-3667. The fax phone number for the organization where this application or proceeding is assigned is 571-273-8300.



Information regarding the status of an application may be obtained from the Patent Application Information Retrieval (PAIR) system. Status information for published applications may be obtained from either Private PAIR or Public PAIR. Status information for unpublished applications is available through Private PAIR only. For more information about the PAIR system, see <http://pair-direct.uspto.gov>. Should you have questions on access to the Private PAIR system, contact the Electronic Business Center (EBC) at 866-217-9197 (toll-free). If you would like assistance from a USPTO Customer Service Representative or access to the automated information system, call 800-786-9199 (IN USA OR CANADA) or 571-272-1000.

/Michael J Brown/  
Examiner, Art Unit 2116

/Thomas Lee/  
Supervisory Patent Examiner, Art Unit 2115